

July 1, 2003
OVERNIGHT AIRBOURNE EXPRESS

Stephen Springer, Esquire
2033 Walnut Street
Philadelphia, PA 19103

RE: Antonsen v. Allentown School District
No. 02-CV-2724
U.S. Eastern District Court

Dear Mr. Springer:

In response to your informal request for documents in the above matter, enclosed please find the following documents (the numbered paragraphs below correspond to the numbered paragraphs in your letter of May 8, 2003):

1. See attached as exhibit #1;
2. See attached as exhibit #2;
3. See attached as exhibit #3;
4. See attached as exhibit #4;
5. See attached as exhibit #5;
6. See attached as exhibit #6;

7. Objection. This request seeks information which is unduly burdensome and oppressive. Searching the full scope of Plaintiff's request would involve documents in excess of 10,000 pages. This is a request which requires extensive research, compilation of data and/or evaluation of data. Defendant is not required to prepare Plaintiff's case. IBP, Inc. v. Mercantile Bank of Topeka, 179 F.R.D. 316, 321 (D.Kan. 1998). Additionally, in accordance with Fed.R.C.P. 33(d) "...it is a sufficient answer to such

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interrogatory to specify the records from which the answer may be derived or ascertained and to afford to the party serving the interrogatory reasonable opportunity to examine, audit or inspect such records and to make copies, compilations, abstracts or summaries..". Without waiver of said objection, it is submitted that the board minutes from 1993-2003 are public records and may be reviewed by Plaintiff's counsel at the School District office at 33 South Penn Street, Allentown, Pennsylvania. By way of further answer, copies of the minutes may be obtained by Plaintiff's counsel at his expense and planning;

8. The May 8, 2003, deposition transcript of Ray Erb lists an Exhibit 9, but no exhibits are attached to the transcript. The transcript states that the "Exhibits Not In Custody of Reporter". If Plaintiff's counsel will provide a copy of P-9 to Defendant's counsel, Dr. Erb will be happy to review and reply to paragraph #8;
9. See attached as exhibit #9;
10. See attached as exhibit #10;
11. Other than those documents produced in response to request #1, Dr. Erb has no documentation regarding these matters. Dr. Scott's may have further information regarding any of these documents. Her deposition is being taken on August 8, 2003;
12. See attached as exhibit #12.

As the documents copied are again extensive (your last document request encompassed over 3,000 pages for which we did not ask for reimbursement), we must request reimbursement in the amount of \$217.25 (869 copies @ .25 per page).

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If you have any questions, please do not hesitate to contact our office.

Very truly yours,

John E. Freund, III

JEF/tlm

Enclosure

cc: Dr. Ray Erb